

Violence from Extractive Industry 'Man Camps' Endangers Indigenous Women and Children

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After four months of hearings, the South Dakota Water Management Board [approved](#) TransCanada/TC Energy to use local water sources for their Keystone XL project. The widely contested oil pipeline runs through the western part of the state, and construction and operation could have harmful effects on rural communities and especially the state's Indigenous populations that would last well beyond the project's completion.

Among several witnesses to offer expert testimony on wide-ranging potential threats of the project, First Peoples Worldwide Staff Attorney Kate Finn provided insights and expertise for the Yankton Sioux Tribe specifically regarding the immediate and enduring harm to Indigenous communities caused by extractive industry man camps – the hundreds and often thousands of workers who are brought to an oil, gas or mining project and given temporary housing for the duration of the project. Highlights from the testimony at the hearing follow:

***Man camps bring violence and localize violent crime
in places where it would not otherwise be.***

Studies have shown that man camps bring violence and localize violent crime in places where it would not otherwise be. The camps by nature create a rapid increase in the population of the area, which can strain community infrastructure, such as law enforcement and human services, especially in rural areas where law enforcement is charged with providing services to extensive swaths of land. The increase in population can lead to an increase in physical and sexual violence, including rape, sexual assault, sexual assault of minors, and sex trafficking in the affected communities.

In 2019, the U.S. Bureau of Justice Statistics [completed a study](#) on violent victimization known to law enforcement in the Bakken oil-producing region of Montana and North Dakota, where increased reports of crime coincided with the socio-economic changes brought to that area by the oil boom.

Looking at the rapid rise of oil workers to the oil producing regions, where they were housed in man camps, the study showed that from 2006 to 2012, the rate of violent victimization, particularly of aggravated assault, increased 70%. In contrast, there was no corresponding rise of violent crime in

the counties outside of the Bakken oil region, and in fact reports of violent victimizations in non-Bakken counties was down 8% during the time period.

The study also found that the rates of serious violent victimization – i.e. homicide, non-negligent manslaughter, rape and sexual assault, robbery and aggravated assault – increased 30% in the Bakken region, where it declined by 4% in the non-Bakken region.

Of particular note, the increase of violent victimization by strangers increased by 53% in the Bakken region, the violent victimization of Blacks and Native Americans was 2.5 times higher than corresponding rates for whites, and, while men experienced higher rates of violent crime as well, women experienced a 54% increase in the rate of unlawful sexual contact, which was due to a rise in reports of statutory rape.

Potential harm from man camps is made worse when they are on or near Indigenous Peoples' lands.

The potential for harm from the man camps is exacerbated when the locations of extractive projects are on or near Native communities, where already higher rates of violence against women and lower access to justice create a system ripe for the exploitation of Native women and children.

A [2008 report](#) from the National Institute of Justice showed that **Native women face murder rates at more than 10 times the national average** in some places in the United States. A 2016 follow-up report, [Violence Against American Indian and Alaska Native Women and Men](#), found that **more than 4 in 5 American Indian and Alaska Native women have experienced violence in their lifetime**, and that more than half of these women have experienced sexual violence in their lifetime. The same report shows that **96% of these American Indian and Alaska Native female victims have experienced violence from a non-Native perpetrator**.

In addition, the state of criminal jurisdiction in Indian Country and increased extractive activities therein compound the risk of violence toward Native American women and children, as detailed in First People's 2016 paper [Responsible Resource Development and Prevention of Sex Trafficking: Safeguarding Native Women and Children on the Fort Berthold Reservation](#) and the accompanying [strategic plan](#) published by the Harvard Journal of Law and Gender in 2018.

In brief, the federal government is responsible for investigating and prosecuting crimes by non-Indian defendants against Indian victims. However, the federal government has not historically nor currently been able to investigate or prosecute these crimes to a level that provides safety for the Native community or the assurance of justice. In practice, this creates an enforcement loophole where crimes against Indian women and children take place more frequently and the perpetrators are not held to account.

The vast majority of the workers at man camps are non-Native. Because of the limits of criminal jurisdiction in Indian Country, the tribe cannot prosecute them for any acts of criminal violence, including sexual assault and trafficking. Since man camps are localized, the localized rise in violence has a potential to intimately impact entire communities.

While man camps are temporary, the trauma of sexual violence and violent crime affects entire generations.

The increase in violence that occurred in the Bakken region due to the increase in population from man camps mirrors a situation that could readily occur in TransCanada/TC Energy's Keystone XL project in the U.S. The camps accompanying the South Dakota leg of the project (there are [four camps are on the proposed route](#)) would be closely located to Native lands and would directly interface with Native communities. Importantly, though the man camps for Keystone XL are temporary – like the impact of the man camps in the Bakken – the trauma caused by a coincident increase in violent crime and human trafficking would remain in the communities for generations.

As detailed in First Peoples' *Responsible Resource Development* paper, the impacts of violence are life-long for survivors. The experience of sexual violence can lead to severe depression, long-term mental health issues, less educational attainment, drug abuse, anxiety, PTSD and even suicide. And the impacts of trauma are not just held by one person but are felt as a ripple effect across their community. The initial victim is likely a daughter, sister, wife, mother, cousin, friend, and parent, and her trauma will be experienced by all.

[Preliminary data research](#) confirms there are very few law enforcement officers available to handle large rural areas in South Dakota where the proposed pipeline construction will take place. **The South Dakota Water Management Board, and in fact all municipal, state and federal entities involved in permitting the proposed Keystone XL pipeline construction must take into consideration the impacts of their decision on Indigenous women and girls in South Dakota along the route of the project.** While the camps are temporary, the trauma of sexual violence and violent crime affects entire communities for generations.

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